

Message Text

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42

ACTION EB-03

INFO OCT-01 ISO-00 ARA-08 SS-14 SP-02 L-01 INR-05 SSO-00

INRE-00 /034 W

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O 081625Z APR 75

FM AMEMBASSY LIMA

TO SECSTATE WASHDC IMMEDIATE 4630

C O N F I D E N T I A L LIMA 2827

STADIS////////////////////////////////////

LIMDIS

FOR EB/TT/AV- STYLES

EO 11652: GDS

TAGS: CIVAIR- DISPUTE WITH PERU - THIRD BRANIFF/

AEROPERU MEETING

REF: LIMA 2721

1. ON APRIL 4, AMBASSADOR SENT LETTER TO FOREIGN MINISTER TO INFORM HIM OF PROGRESS OF AIRLINE TALKS. COPIES ALSO SENT TO RIME MINISTER, AIR MINISTER GILARDI, AND DGTA BERCKEMEYER. LETTER NOTED THAT BRANIFF COULD NOT ACCEPT AEROPERU'S 24 FLIGHT PER WEEK PROPOSAL AND THAT BRANIFF HAD COUNTERPROPOSED ARRANGEMENT BASED ON AEROPERU'S FEBRUARY 17 PROPOSAL. LETTER NOTED THAT TWO SIDES THUS SEEMED VERY CLOSE TO AGREEMENT EXCEPT FOR THREE POINTS ESSENTIAL TO BRANIFF:

- A. EXCLUSION OF STOPOVER TRAFFIC;
- B. CONTINUATION OF SERVICE VIA LIMA TO BRAZIL; AND
- C. THREE YEAR OPERATING PERMIT.

EMBASSY/BRANIFF PLAN WAS TO GIVE GOP DAY TO CONSIDER THIS LETTER AND HOPEFULLY PUT PRESSURE ON AEROPERU.

HOWEVER, WHEN SOUTH TELEPHONED SOTO MORNING APRIL 7

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TO SUGGEST MEETING ON TUESDAY, APRIL 8 SOTO UNEXPECTEDLY

ANNOUNCED THIS WOULD BE IMPOSSIBLE AS HE AND HIS TEAM HAD TO GO TO CARACAS THAT DAY. MEETING WAS THEREFORE SCHEDULED FOR AFTERNOON APRIL 7.

2. APRIL 7 MEETING WAS VERY SHORT. SOUTH SAID BRANIFF HAD SUTDIED AEROPERU 24 FLIGHT PROPOSAL OVER WEEKEND BUT FOUND IT UNECONOMIC AND THEREFORE UNACCEPTABLE. BRANIFF HAD THEREFORE ELABORATED DETAILED, WRITTEN PROPOSAL BASED ON AEROPERU'S OFFICIAL (SIC) PROPOSAL OF APRIL 7. SOUTH GAVE SOTO COPIES. SOTO READ PROPOSAL CAREFULLY, SAID HE WOULD HAVE TO STUDY IT, AND SCHEDULED NEXT MEETING FOR MORNING OF FOLLOWING DAY.

3. IN POST MORTEM WHICH FOLLOWED, SOUTH SAID HE HAD REACHED CONCLUSION THAT AEROPERU MUST BE GIVEN DEADLINE OF NOON ON WEDNESDAY TO MAKE UP ITS MIND. HE SAID THAT DE MURIAS AND HILL HAD TALKED TO THE "WHITE HOUSE" END OF LAST WEEK AND HAD FOUND AGREEMENT FOR TAKING PART 213 ACTION "IMMEDIATELY" IF SETTLEMENT NOT REACHED. SOUTH SAID SOTO'S PERFORMANCE IN SCHEDULING MEETING IN CARACAS IN MIDST OF TALKS WITH BRANIFF STRENGTHENED HIS OPINION. SOUTH GRANTED THAT SOTO'S AGREEMENT TO SUTDY PROPOSAL, RATHER THAN REJECTING IT OUT OF HAND, AT LEAST INDICATED THAT AEROPERU IS NOW UNDER FURTHER PRESSURE FROM GOP. SOUTH SPECULATED THAT AEROPERU COULD RETURN ON APRIL 8 WITH ANY ONE OF THREE POSITIONS: ACCEPTANCE, REJECTION, OR TEMPORIZING WITH REQUEST FOR MORE TIME TO STUDY AND SUGGESTION THAT WO SIDES MEET AGAIN IN SOME DAYS. SOUTH SAID NEITHER OF LATTER TWO POSITIONS WOULD BE ACCEPTABLE TO BRANIFF AND WOULD CAUSE IT TO PRESS FOR IMMEDIATE PART 213 ACTION.

4. COMMENT:WE WOULD AGREE THT WITH THIS PROPOSAL, BRANIFF HAS COME TO END OF THE LINE. IF IT IS REJECTED, WE THINK NEXT STEP WILL PROBABLY HAVE TO BE RESUMPTION OF GOVERNMENT LEVEL NEGOTIATIONS. WITH RESPECT TO PART 213 ACTION, WHILE WE UNDERSTAND AND ARE SYMPATHETIC WITH BRANIFF'S IMPATIENCE, WE THINK THE MATTER WARRANTS SOME FURTHER THOUGHT. COINCIDENTALLY, THE AMBASSADOR HAS MEETING SCHEDULED WITH FOREIGN MINISTER FOR MORNING APRIL 8

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ON ANOTHER SUBJECT. THIS WILL AFFORD OPPORTUNITY TO DISCUSS CIVAIR PROBLEM AND PERHAPS PROVIDE FURTHER INSIGHT.
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